

DISPOSITION: Between May 17 and October 2, 1945. The Delta Grocery and Cotton Co., Clarksdale, Miss., having appeared as claimant for the Clarksdale lot, and the Williams Stock Medicine Co., Inc., having appeared as claimant for the remaining lots, judgments of condemnation were entered and the products were ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

DRUG ACTIONABLE BECAUSE OF DECEPTIVE PACKAGING

1698. Misbranding of Sealtext. U. S. v. 16 Dozen Packages of Sealtext. Default decree of destruction. (F. D. C. No. 15309. Sample No. 18927-H.)

LIBEL FILED: March 5, 1945, District of Minnesota.

ALLEGED SHIPMENT: On or about December 6, 1944, and January 2, 1945, by the Sealtext Co., from Chicago, Ill.

PRODUCT: 16 dozen packages of *Sealtext* at Minneapolis, Minn. The product consisted of a roll of gauze with a paper wrapper, enclosed in a carton. The diameter of the roll of gauze with its paper wrapping was 1½ inches. The carton, the depth of which was approximately that of the length of the roll, had a cross section 2 by 2 inches.

NATURE OF CHARGE: Misbranding, Section 502 (i) (1), the container of the article was so made and filled as to be misleading since the carton was materially larger than was necessary to hold the roll of bandage contained therein.

DISPOSITION: April 26, 1945. No claimant having appeared, judgment was entered ordering that the product be delivered to charitable institutions or destroyed.

DRUGS ACTIONABLE BECAUSE OF FAILURE TO BEAR ACCURATE STATEMENTS OF THE QUANTITY OF THE CONTENTS*

1699. Misbranding of isopropyl rubbing compound. U. S. v. 40 Dozen Bottles of Isopropyl Rubbing Compound. Default decree of condemnation and destruction. (F. D. C. No. 16094. Sample No. 2273-H.)

LIBEL FILED: May 18, 1945, Eastern District of North Carolina.

ALLEGED SHIPMENT: On or about August 26 and October 13, 1943, by the Adde Co., from Baltimore, Md.

PRODUCT: 40 dozen bottles of *isopropyl rubbing compound* at Kinston, N. C. Examination showed that the product was short-volume.

LABEL, IN PART: "Mild Isopropyl Rubbing Compound * * * 6 Fluid Ounces."

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the label of the article failed to bear an accurate statement of the quantity of contents.

DISPOSITION: July 16, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1700. Misbranding of ammonium alum and aromatic spirits of ammonia. U. S. v. 11 Dozen Packages of Ammonium Alum and 17 Dozen Packages of Aromatic Spirits of Ammonia. Default decree of condemnation. Products ordered delivered to a charitable institution. (F. D. C. No. 15443. Sample Nos. 23713-H, 23714-H.)

LIBEL FILED: On or about March 1, 1945, Southern District of Texas.

ALLEGED SHIPMENT: On or about January 29, 1945, by McKesson and Robbins, Inc., from Memphis, Tenn.

PRODUCT: 11 dozen packages of *ammonium alum* and 17 dozen packages of *aromatic spirits of ammonia* at Houston, Tex.

LABEL, IN PART: "Four Ounces Alum Lump Ammonium Alum * * * Packaged by Van Vleet Laboratories," and "½ Fluid Oz. Aromatic Spirit of Ammonia * * * Manufactured by Van Vleet Laboratories."

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the *ammonium alum* was short of the declared weight, and the *aromatic spirits of ammonia* was short of the declared volume.

DISPOSITION: April 18, 1945. No claimant having appeared, judgment of condemnation was entered and the products were ordered delivered to a charitable institution.

*See also Nos. 1656, 1696.

FEDERAL SECURITY AGENCY**FOOD AND DRUG ADMINISTRATION****NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG,
AND COSMETIC ACT**

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

1701-1750

DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by the United States attorneys acting upon reports submitted by direction of the Federal Security Administrator.

MAURICE COLLINS, *Acting Administrator, Federal Security Agency.*
WASHINGTON, D. C., September 6, 1946.

CONTENTS*

| | Page | | Page |
|---|------|--|------|
| Drugs actionable because of potential danger when used according to directions..... | 117 | Drugs actionable because of deviation from official or own standards..... | 120 |
| New drug shipped without effective application..... | 118 | Drugs and devices actionable because of false * and misleading claims..... | 127 |
| Drugs actionable because of contamination with filth..... | 119 | Drugs for human use..... | 127 |
| Drugs actionable because of the presence of non-certified coal-tar colors..... | 120 | Drugs for veterinary use..... | 137 |
| | | Drug actionable because of deceptive packaging..... | 14 |

**DRUGS ACTIONABLE BECAUSE OF POTENTIAL DANGER WHEN USED
ACCORDING TO DIRECTIONS**

1701. Misbranding of sulfathiazole tablets. U. S. v. Abraham H. Kaitz (American Proprietaries). Plea of guilty. Fine, \$500. Sentence of 3 months in jail suspended and defendant placed on probation for 6 months. (F. D. C. No. 16571. Sample No. 4701-H.)

INFORMATION FILED: November 8, 1945, Eastern District of Pennsylvania, against Abraham H. Kaitz, trading as American Proprietaries, at Philadelphia, Pa.

INTERSTATE SHIPMENT: On or about June 17, 1944, from New York, N. Y., to Philadelphia, Pa., of a quantity of *sulfathiazole tablets*.

LABEL, WHEN SHIPPED: "1000 Tablets Sulfathiazole U. S. P. XII 0.5 Gram (7.7 grains) Ommis Orbis Warner * * * Caution: To be used only by or on the prescription of a physician * * * William R. Warner & Co., Inc. New York St. Louis."

NATURE OF CHARGE: That on or about January 12, 1945, the defendant removed a number of tablets from a bottle bearing the label described above, repacked the tablets into a box bearing the label, "Sal-T Directions one 4 times a day No. 2 TR-TAB TTK," and sold those tablets without a prescription.

The information charged further that the act of the defendant resulted in the misbranding of the article in the following respects: Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use since

*For failure to bear adequate directions or warning statements, see No. 1701; failure to bear a label containing an accurate statement of the quantity of the contents, Nos. 1719, 1746, 1747; omission of, or unsatisfactory, ingredients statements, Nos. 1720, 1736, 1746; failure to bear a label containing the name and place of business of the manufacturer, packer, or distributor, Nos. 1742, 1743; cosmetics, subject to the drug provisions of the Act, Nos. 1741, 1742.